

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CALDWELL-BAKER COMPANY, et al.,)
)
Plaintiffs,)
)
v.) Case No. 2005-cv-22-JPG
)
FRED PARSONS, et al.,)
)
Defendants.)

ORDER

GILBERT, District Judge:

This matter comes before the Court on case management. The Court notes that Plaintiffs recently filed a motion for substitution of counsel in this case, which was granted. What is significant about the motion is that it alerted the Court that, unlike the related cases in these appeals, this particular one hadn't been stayed and referred to the Seventh Circuit Court of Appeals for Rule 33 proceedings, as shown by the absence of such an order in the record of this case. Having considered Plaintiffs' position on this issue, the Court **ORDERS** as follows:

This matter comes before this United States District Court for the Southern District of Illinois as an appeal from the United States Bankruptcy Court for the Southern District of Illinois. This appeal is one of many complex and arduous appeals that Appellants have taken from the Bankruptcy Court to this District. As of the date of this Order, Appellants have ten appeals pending in this District, have filed eight notices of appeal in the Bankruptcy Court that are in the process of being docketed in this District, and have previously filed seven appeals that this District has ruled on and are now closed. Additionally, two appeals have been taken from this District to the United States Court of Appeals for the Seventh Circuit. One appeal was

dismissed for want of jurisdiction and the other appeal is stayed, as it has been referred to the Seventh Circuit's Settlement Conference Attorney for mediation.

Due to the complexity of Appellants' appeals litigation and its long and difficult past, the District Judges of this District are in agreement that the interests of the parties and judicial economy would best be served by staying all of Appellants' appeals pending in this District and referring Appellants' appeals litigation in its entirety to mediation.

Accordingly, the Court hereby **DIRECTS** the **Clerk of Court** to enter a **STAY** in this matter. The Court **REFERS** this matter for mediation to the Settlement Conference Attorney for the United States Court of Appeals for the Seventh Circuit. All briefing in this matter is **SUSPENDED** until further notice from the Court.

IT IS SO ORDERED.

Dated: May 24, 2005.

/s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. District Judge